

FREDERICK COUNTY PLANNING COMMISSION  
Minutes of Meeting for  
May 11, 2016

See video for further meeting details: <http://frederickcountymd.gov/5956/Video-Archives>

9:30 a.m.

Members Present: Bill Hopwood, Chair; Anthony Bruscia, Vice-Chair; Bob White, Secretary, Audrey Wolfe; William Hall; Sharon Suarez; Carole Sepe

Staff Present: Jim Gugel, Planning Director; Shawna Lemonds, Development Review Director, Kathy Mitchell, Assistant County Attorney; Tolson DeSa, Principal Planner; Ron Burns, Transportation Engineer, Mike Wilkins, Principal Planner, Tim Goodfellow, Principal Planner, Charles Freeman, Traffic Engineer, Anne Light, Administrative Assistant

**1. PLEDGE OF ALLEGIANCE**

**2. MINUTES TO APPROVE**

- a) February 17, 2016 – Mr. Hall made a motion to approve as amended. Mr. White 2<sup>nd</sup>

<u>VOTE</u>	<u>7-0-0-0</u>
For:	7- Hall, White, Hopwood, Bruscia, Wolfe, Suarez, Sepe
Against:	0
Abstain	0
Absent	0

- b) March 9, 2016 – Mr. Bruscia made a motion to approve as amended. Ms Suarez 2<sup>nd</sup>

<u>VOTE</u>	<u>7-0-0-0</u>
For:	7- Bruscia, Suarez, Hall, White, Hopwood, Wolfe, Sepe
Against:	0
Abstain:	0
Absent:	0

- c) April 13, 2016 – Mr. Bruscia made a motion to approve as amended. Ms. Suarez 2<sup>nd</sup>

<u>VOTE</u>	<u>7-0-0-0</u>
For:	7- Bruscia, Suarez, Hall, White, Hopwood, Wolfe, Sepe
Against:	0
Abstain:	0
Absent:	0

**3. PLANNING COMMISSION COMMENTS**

Mr. White reported that Livable Frederick continues to move forward.

#### 4. **AGENCY COMMENTS/AGENDA BRIEFING**

Mr. Gugel announced the June 8<sup>th</sup> meeting has 1 development review item and the annual report from 2015 to present.

#### 5. **CONSENT AGENDA**

**Urban Green** - Letter of Understanding (LOU) Amendment - Requesting an amendment to the approved LOU, conditionally approved August 14, 2013 to address the timing of implementation of an improvement and removal of a frontage parking requirement to be consistent with approved site and improvement plans. File: SP 12-11; AP #13559  
*Ron Burns, Transportation Engineer*

##### **Decision:**

Mr. Bruscia made a motion that the Planning Commission **APPROVE** the Consent Agenda with noted date of July 15<sup>th</sup>. Mr. White 2<sup>nd</sup>

##### **VOTE**                      7-0-0-0

For:	7 – Bruscia, White, Wolfe, Hall, Hopwood, Suarez, Sepe
Against	0
Abstain	0
Absent	0

#### 6. **FRO MODIFICATION**

- a) **Boyers Mill Road CIP**- The Applicant is requesting a FRO modification to allow for the removal of seven specimen trees in connection with road improvements. Located along Boyers Mill Road, between Gas House Pike and Lake Linganore. Tax Map 69, Multiple Parcels. Zoning: Multiple. Planning Region: New Market. File SP-15-01, AP 14932.

##### **Staff Presentation**

Mike Wilkins, Principal Planner

##### **Applicant Presentation**

Samantha Passman, Jason Stitt DPW

##### **Decision:**

Mr. White made a motion that the Planning Commission **APPROVE WITH CONDITIONS** as listed in the staff report, the **FRO Modification Request SP-15-01 (FRO #14932)** for the proposed removal of seven specimen trees within the **Boyers Mill Road CIP** project, based on the findings and conclusions of the staff report and the testimony, exhibits, and documentary evidence produced at the public meeting. Ms. Suarez 2<sup>nd</sup>

##### **VOTE**                      7-0-0-0

For:	7 – White, Suarez, Bruscia, Wolfe, Hall, Hopwood, Sepe
Against	0
Abstain	0
Absent	0

#### 7. **PRELIMINARY PLAN**

- a) **Bennett Preserve (Formerly Crossroads)**- The Applicant is requesting Preliminary Plan approval for 13 single family residential lots (a reduction of 2 lots) and approval of a cul-de-sac where a through movement was previously approved within the 46.8-acre Section 1 portion of the subdivision. Located on the southern side of MD 75/Green



Valley Road, between Lewisdale Road and MD 355; Tax Map 106, Parcel 15. Zoned: R-1 Residential. Planning Region: Urbana. File S-1131 , AP# 15582

**Staff Presentation**

Tolson DeSa, Principal Planner

**Applicant Presentation**

Mike Wiley, Wormald Co.

Andrew Brown, J.F. Brown

Noel Manalo, Miles & Stockbridge

**Decision:**

Ms. Sepe made a motion that the Planning Commission **APPROVE S-1131 (AP 15582) with conditions** as listed in the staff report for the proposed preliminary plan for Section 1 Phases 2 & 3 comprised of 13 lots, based on the findings and conclusions of the staff report and the testimony, exhibits, and documentary evidence produced at the public meeting, with revisions. Conditions 2, 3, & 5 were amended and #9 was added. Mr. White 2<sup>nd</sup>

<u>VOTE</u>	<u>7-0-0-0</u>
For	7 – Sepe, White, Suarez, Bruscia, Wolfe, Hall, Hopwood
Against	0
Abstain	0
Absent	0

**8. SITE PLAN**

- a) *Spring Arbor*- The Applicant is requesting Site Development Plan approval for a 105,608 square foot assisted living facility, on an 8.36 acre site. Located at the intersection of English Muffin Way Extended and New Design Road. Tax Map 86, Parcel 267. Zoned: Mixed Use Development (MXD). Planning Region: Adamstown, File SP-95-57, AP#16063

**Staff Presentation**

Tolson DeSa, Principal Planner

**Applicant Presentation**

Rand Weinberg, Miles & Stockbridge

Chris Smariga, Harris, Smariga Assoc.

Brian Morris, Matan Co.

Julie Spencer, HH Hunt

**Decision:**

Mr. White made a motion that the Planning Commission **APPROVE** Site Plan SP-95-57 AP 16063 including APFO approval for a 105,608 square foot assisted living facility on an 8.36 acre site **with conditions and modifications** as listed in the staff report, based on the findings and conclusions of the staff report and the testimony, exhibits, and documentary evidence produced at the public meeting as amended. Mr. Hall 2<sup>nd</sup>

<u>VOTE</u>	<u>7-0-0-0</u>
For	7 – White, Hall, Sepe, Suarez, Bruscia, Wolfe, Hopwood
Against	0
Abstain	0
Absent	0

b) *Wedgewood West* –

The Applicant is requesting approval of a site development plan amendment to add a fenced storage area behind Building “B”, to remove buildings “G”, “H”, and “I” and associated retail uses, and replace with 71,818 square feet of additional warehouse use in Building “A”. Tax Map 86, Parcel 6. Zoned: Mixed Use Development (MXD). Planning Region: Adamstown. File SP-13-04, AP# 16058

**Staff Presentation**

Tolson DeSa, Principal Planner

**Applicant Presentation**

Rand Weinberg, Miles & Stockbridge  
Chris Smariga, Harris, Smariga Assoc.  
Brian Morris, Matan Co.

**Decision:**

Mr. Bruscia made a motion that the Planning Commission **APPROVE** SP-13-04 AP 16058 **with conditions and modifications** as listed in the staff report for the proposed 71,818 square feet of additional warehouse square footage on Building “A” and a fenced storage area behind Building “B”, based on the findings and conclusions of the staff report and the testimony, exhibits, and documentary evidence produced at the public meeting with condition by the staff. Ms. Sepe 2<sup>nd</sup>

<b>VOTE</b>	<b>7-0-0-0</b>
For	7- Bruscia, Sepe, White, Hall, Suarez, Wolfe, Hopwood
Against	0
Abstain	0
Absent	0

9. **AMENDED AND RESTATED LETTER OF UNDERSTANDING**

*Wedgewood West LOU*- The Applicant is requesting an amendment to the approved Letter of Understanding (LOU), originally approved on May 14, 2008, which was amended on December 10, 2014 for the Wedgewood West (Formerly Younkings) MXD (SP-13-04/AP#16058). Tax Map 86, Parcel 6. Zoned: Mixed Use Development (MXD). Planning Region: Adamstown. Located between New Design Road and English Muffin Way extended. File: S-1147; AP #6425.

**Staff Presentation**

Ron Burns, Transportation Engineering

**Decision:**

Ms. Sepe made a motion that the Planning Commission **APPROVE** the proposed Amended and Restated Letter of Understanding based on the finding and conclusions of the staff report at the public meeting with corrections as discussed. Ms. Suarez 2<sup>nd</sup>

<b>VOTE</b>	<b>7-0-0-0</b>
For	7 – Sepe, Suarez, White, Hall, Bruscia, Wolfe, Hopwood
Against	0
Abstain	0
Absent	0



## 10. 2016 SPRING CYCLE –WATER & SEWERAGE PLAN AMENDMENTS

[WS-16-01 EMKAY Land, LLC](#) requesting reclassification of 6.12 acres from W-5/Dev., S-5/Dev. to W-3/Dev., S-3/Dev. on the east side of Worman's Mill Road within the City of Frederick.

### **Staff Presentation**

Tim Goodfellow, Principal Planner

### **Applicant Presentation**

Mr. John Mazelon, Fox & Associates, Case WS-16-01

### **Decision:**

Mr. White made a motion to find WS-16-01 to be consistent with the Frederick City Comprehensive Plan. Ms. Suarez 2<sup>nd</sup>

<u>VOTE</u>	<u>7-0-0-0</u>
For	7- White, Suarez, Bruscia, Sepe, Hall, Wolfe, Hopwood
Against	0
Abstain	0
Absent	0

[WS-16-02 Casa Bella, LLC](#) requesting reclassification of 1.90 acres from W-4/Dev., S-4/Dev. to W-3/Dev., S-3/Dev. and reclassification of 0.28 acres from W-5/Dev., S-5/Dev. to W-3/Dev., S-3/Dev. on the south side of Urbana Pike.

### **Staff Presentation**

Tim Goodfellow, Principal Planner

### **Applicant Presentation**

Mr. Borgenio, applicant for Case WS-16-02

### **Decision:**

Mr. Bruscia made a motion to find WS-16-02 to be consistent with the County Comprehensive Plan. Mr. Hall 2<sup>nd</sup>

<u>VOTE</u>	<u>7-0-0-0</u>
For	7- White, Suarez, Bruscia, Sepe, Hall, Wolfe, Hopwood
Against	0
Abstain	0
Absent	0

## 11. Capital Improvements Program

The County Executive Proposed Capital Improvements Program (CIP) for FY 2017 – 2022 was presented to the Planning Commission for a finding of consistency with the Comprehensive Plan.

### **Staff Presentation**

*Jim Gugel, Planning Director*

### **Other Staff Comments**

Darrell Batson, Frederick County Public Libraries  
Jason Stitt, DPW

**Decision:**

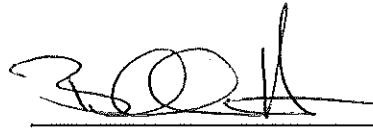
Mr. White made a motion that the Planning Commission find that the location, character, and extent of the Proposed FY 2017-2022CIP are consistent with the Frederick County Comprehensive Plan based on the findings and conclusions of the staff report. Mr. Bruscia 2<sup>nd</sup>

<u>VOTE</u>	<u>7-0-0-0</u>
For	7 – White, Bruscia, Hall, Suarez, Wolfe, Sepe, Hopwood
Against	0
Abstain	0
Absent	0

Meeting was adjourned at 2:17 pm.

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Respectfully Submitted,

	<u>6-8-16</u>
Bill Hopwood, Chair	Date